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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/724,701

12/02/2003

Jean-Paul Accarie

02997.002501.

1995

5514 7590 02/09/2011  
FITZPATRICK CELLA HARPER & SCINTO  
1290 Avenue of the Americas  
NEW YORK, NY 10104-3800

EXAMINER

LIU, L/N

ART UNIT

PAPER NUMBER

2445

MAIL DATE

DELIVERY MODE

02/09/2011

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10724701	12/2/2003	ACCARIE ET AL.	02997.002501.

FITZPATRICK CELLA HARPER & SCINTO  
1290 Avenue of the Americas  
NEW YORK, NY 10104-3800

**EXAMINER**

LIN LIU

**ART UNIT****PAPER**

2445

20110128

**DATE MAILED:**

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

This communication is to inform Applicant that the final office action mailed on April 30, 2008 is hereby remailed and the statutory period for response is hereby reset. The status of the application remains at "FINAL". Attached is a copy of the final office action.

The applicant is also reminded that a copy of the final office action is available in PAIR.

Because this action is a Final Office Action, applicant is given a shortened statutory period for reply to this final action, which is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

ANDREW CALDWELL  
SENIOR PATENT EXAMINER

Attachment to PTO-90C



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Remailed

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/724,701	12/02/2003	Jean-Paul Accarie	02997.002501.	1995

5514 7590 04/30/2008  
FITZPATRICK CELLA HARPER & SCINTO  
30 ROCKEFELLER PLAZA  
NEW YORK, NY 10112

EXAMINER	
LIU, LIN	

ART UNIT	PAPER NUMBER
2145	

MAIL DATE	DELIVERY MODE
04/30/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/724,701	<b>Applicant(s)</b> ACCARIE ET AL.	
	<b>Examiner</b> LIN LIU	<b>Art Unit</b> 2145	

**– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –  
Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 28 December 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-26 and 28-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 and 28-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 December 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### DETAILED ACTION

1. This office action is responsive to communications filed on 12/28/2008.

Claims 1-26 and 28-31 are pending and have been examined.

### *Claim Objections*

2. Claim 4 is objected to because of the following informalities: a typo for the word "detem1ining" should be corrected to "determining".

Appropriate correction is required.

### *Claim Rejections - 35 USC § 101*

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. **Claims 30-31** are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

With regard to **claims 30-31**, the instant claims are directed toward a "computer-readable medium for storing a program product including code", wherein the "computer-readable medium" is not explicitly defined in the specification, thus the term "computer-readable medium" is given the broadest reasonable interpretation. In the instant case, it would appear to be reasonable to interpret these medium for carrying as fairly conveying transmission signals and other forms of propagation or transmission media to one of ordinary skill, which is per se nonstatutory.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims **1-26, and 28-31** are rejected under 35 U.S.C 102 (e) as being anticipated by **Henry et al. (publication no.: US 2005/0018696 A1)**

With respect to **claim 1**, Henry teaches a method of interconnection, through a gateway, between a first network of type IEEE 1394 enabling communications between a plurality of HAVi compliant devices and a second network enabling communications between a plurality of devices (Henry, fig 1) comprising the steps of:

for each device from the second network,

a) determining a global unique identifier (Henry: page 2, paragraph 44, and page 3, paragraph 68, noted the GUID identifiers);

b) determining a distinct IEEE 1394 address (Henry: page 4, paragraph 69, noted the newly added UPnP is determined as a "1394 device" which inherently has a IEEE 1394 address);

c) representing the device from the second network by a HAVI compliant software element associated with the determined global unique identifier and the determined IEEE 1394 address, which software element is hosted by the gateway (Henry: page 4, paragraph 70, noted the DCM and FCM elements for the newly added UPnP device); and

d) said method also comprising managing communication between a device from the first network and a device from the second network, using the device from the second network's corresponding software element (Henry: Fig. 1, page 2, paragraph 46, and page 4, paragraphs 70-71, noted the bridge manages the communication).

With respect to **claim 2**, Henry teaches the method according to claim 1, wherein the second network enables communications between a plurality of UPnP compliant devices (Henry: fig. 1, page 2, paragraph 46).

With respect to **claim 3**, Henry teaches the method according to claim 2, wherein the step of determining a global unique identifier comprises the step of generating a global unique identifier (Henry: pages 2-3, paragraph 51 noted the GUID identifier).

With respect to **claim 4**, Henry teaches the method according to claim 2, wherein the step of determining a IEEE 1394 address comprises a further step of generating a virtual IEEE 1394 address (Henry: page 4, paragraph 69).

With respect to **claim 5**, Henry teaches the method according to claim 4, wherein the step of generating a virtual IEEE 1394 address comprises a step of

generating a bus identifier, representing the second network, according to the standard IEEE 1394.1 (Henry: page 4, paragraph 69).

With respect to **claim 6**, Henry teaches the method according to claim 2, wherein the management of communication between devices from the first network and devices from the second network is performed by forming a bridge between a first bridge portal connected to the first network and an emulated second bridge portal and managing communication between the emulated second bridge portal and the devices from the second network (Henry: fig. 1, page 2, paragraph 46).

With respect to **claim 7**, Henry teaches the method according to claim 1, wherein the second network enables communications between a plurality of HAVi compliant devices (Henry: fig. 1, page 2, paragraph 46).

With respect to **claim 8**, Henry teaches the method according to claim 7, wherein the step of determining a global unique identifier comprises the step of retrieving the global unique identifier of the corresponding HAVi device from the second network (Henry: pages 2-3, paragraph 51 noted the GUID identifier).

With respect to **claim 9**, Henry teaches the method according to claim 7, wherein the step of determining a IEEE1394 address comprises the step of retrieving the IEEE1394 address of the corresponding HAVi device from the second network (Henry: page 4, paragraph 69).

With respect to **claim 10**, Henry teaches the method according to claim 7, wherein the management of communication between devices from the first network and devices from the second network comprises forming a bridge



compliant with the IEEE1394.1 standard between a first bridge portal connected to the first network and a second bridge portal connected to the second network (Henry: page 4, paragraph 69).

With respect to **claim 11**, Henry teaches the method according to claim 1, wherein the step of managing communication between a first device from the first network and a second device from the second network includes retrieving, by the first device, the IEEE 1394 address associated to the second device using a discovery and enumeration protocol (Henry: page 3, paragraph 67, SSDP protocol).

With respect to **claim 12**, Henry teaches the method according to claim 1, which further managing virtual registers compliant with IEC61883 specification associated with each device from the second network (Henry: page 3, paragraph 65).

With respect to **claims 13-26 and 28-31**, the limitations of these claims are substantially the same as those in claims 1-12. Therefore the same rationale for rejecting claims 1-12 is used to reject claims 13-26 and 28-31. By this rationale **claims 13-26 and 28-31** are rejected.

### ***Response to Arguments***

7. Applicant's arguments with respect to claims 1-26 and 28-31 have been considered but are moot in view of the new ground(s) of rejection.

**Conclusion**

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lin Liu whose telephone number is (571) 270-1447. The examiner can normally be reached on Monday - Friday, 7:30am - 5:00pm, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on (571) 272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/L. L./  
/Lin Liu/

Examiner, Art Unit 2145

/Jason D Cardone/  
Supervisory Patent Examiner, Art Unit 2145